



10-27-05

JC045 PCT/PTO 26 OCT 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Inventors: Banbury et al.

Atty. Docket No.: RPS6113-US

Serial No.: 10/534,117

Examiner: unassigned

Filing Date: May 5, 2005

Art Unit: unassigned

Corresponding PCT Application: PCT/US03/34934

Corresponding PCT Filing Date: 03 November 2003

Entitled: IMPROVED FORMULATIONS CONTAINING SUBSTITUTED IMIDAZOLE DERIVATIVES

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10(a)

Date of Deposit: 10/26/05

I hereby certify that this Information Disclosure Statement and PTO-1449 are being deposited with the U.S. Postal Service, as U.S. Express Mail No. EV70163578504, postage prepaid, to: Commissioner for Patents, MAIL STOP – IDS (NO FEE), P.O. Box 1450, Alexandria, Virginia 22313-1450.



Jennifer Warner

INFORMATION DISCLOSURE STATEMENT

As authorized and encouraged under 37 C.F.R. §§1.97-1.98 and the provisions of MPEP §§609 and 707.05(b), Applicants submit herewith certain patent references, publications and/or other information which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. These references and information are listed below and on attached form PTO-1449.

U.S. PATENT DOCUMENTS

| U.S. PATENT NUMBER | INVENTOR(S) |
|--------------------|------------------|
| 4,855,326 | Fuisz |
| 5,079,018 | Ecanow |
| 5,120,549 | Gole et al. |
| 5,298,261 | Pebley et al. |
| 5,948,430 | Zerbe et al. |
| 6,284,270 | Lagoviyer et al. |
| 6,316,026 | Tartara et al. |
| 6,375,982 | Cherukuri |
| 6,552,024 | Chen et al. |

FOREIGN PATENT DOCUMENTS

| PATENT/DOCUMENT NUMBER | COUNTRY |
|------------------------|---------|
| WO 03/030881 | PCT |
| WO 01/19336 | PCT |
| WO 00/67694 | PCT |
| WO 93/12769 | PCT |
| WO 91/04757 | PCT |
| EP0204045 | EP |
| EP0618906 | EP |
| EP0914818 | EP |
| EP0974365 | EP |
| GB1548022 | UK |

OTHER DOCUMENTS

1. Penttila et al., Effects of atipamezole – a selective α_2 -adreno-ceptor antagonist – on cardiac parasympathetic regulation in human subjects, *Autonomic & Autocoid Pharmacology*, 24, pp. 69-75, 2004

The identification of any document herein is not intended to be, and should not be understood as being an admission that each such document, in fact, constitutes "prior art" within the meaning of applicable law.

Copies of the non-US Patent Documents are enclosed herewith.

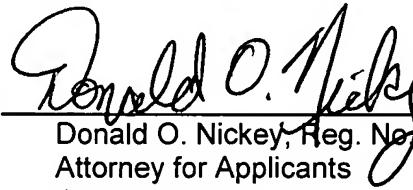
Applicants submit this statement in accordance with their duty of disclosure under 37 C.F.R. §1.56. This statement is filed in accordance with 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits. Therefore, it is believed that as a result of no action being taken on this file as of the filing date of this disclosure, no fee is due by Applicant.

Applicant respectfully requests that the documents cited herein be made of record in the normal manner and that such documents appear on the printed patent as being considered and made of record.

Respectfully submitted,

Dated: Oct 25, 2005

By:



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FORM PTO-1449 TO BE FILED WITH THE
INFORMATION DISCLOSURE STATEMENT

U.S. Department of Commerce
Patent and Trademark Office

Docket No.: RPS6113-US Serial No.: 10/534,117

Banbury et al.

Applicant

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

May 5, 2005

Filing Date

Not assigned

Group Art Unit

Not assigned
Examiner's Name

U.S. PATENT DOCUMENTS

| Examiner's Initials | Document No. | Date | Inventor(s) | Class/Sub-class |
|---------------------|--------------|---------------|------------------|-----------------|
| | 4,855,326 | Aug. 8, 1989 | Fuisz | 514/777 |
| | 5,079,018 | Jan. 7, 1992 | Ecanow | 426/385 |
| | 5,120,549 | Jun. 9, 1992 | Gole et al. | 424/484* |
| | 5,298,261 | Mar. 29, 1994 | Pebley et al. | 424/488 |
| | 5,948,430 | Sep. 7, 1999 | Zerbe et al. | 424/435 |
| | 6,284,270 | Sep. 4, 2001 | Lagoviyer et al. | 424/464 |
| | 6,316,026 | Nov. 13, 2001 | Tatara et al. | 424/464 |
| | 6,375,982 | Apr. 23, 2002 | Cherukuri | 424/484 |
| | 6,552,024 | Apr. 22, 2003 | Chen et al. | 514/252.16 |

*patent withdrawn according to USPTO database

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| Examiner's Initials | Document No. | Publication Date | Applicant(s) | Country |
|---------------------|--------------|------------------|--|---------|
| | WO 03/030881 | 17 Apr. 2003 | Kosmos Pharma (US) | PCT |
| | WO 01/19336 | 22 Mar. 2001 | CLL Pharma (FR) | PCT |
| | WO 00/67694 | 16 Nov. 2000 | Electrosols Ltd. (GB) | PCT |
| | WO 93/12769 | 08 Jul. 1993 | Yamanouchi Pharmaceutical Co., Ltd. (JP) | PCT |
| | WO 91/04757 | 18 Apr. 1991 | Cima Labs, Inc. (US) | PCT |
| | EP 0204045 | 10 Dec, 1986 | Bio/Data Corp. (US) | EP |
| | EP 0618906 | 22 Apr. 1998 | Oy Juvantia Pharma Ltd. (FI) | EP |
| | EP0914818 | 08 Jun 2005 | Kyowa Hakko Kogyo Co. (JP) | EP |



FORM PTO-1449 TO BE FILED WITH THE
INFORMATION DISCLOSURE STATEMENT (cont'd)

U.S. Department of Commerce Docket No.: RPS6113-US Serial No.: 10/534,117
Patent and Trademark Office

| Examiner's Initials | Document No. | Publication Date | Applicant(s) | Country |
|---------------------|--------------|------------------|---------------------------|---------|
| | EP0974365 | 22 Sep. 2004 | Permatec Technologie (CH) | EP |
| | GB1548022 | 04 Jul. 1979 | Gregory et al. | GB (UK) |

OTHER DOCUMENTS

1. Penttila et al., Effects of atipamezole – a selective α_2 -adreno-ceptor antagonist – on cardiac parasympathetic regulation in human subjects, *Autonomic & Autocoid Pharmacology*, 24, pp. 69-75, 2004

Examiner: _____ Date Considered: _____

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. The identification of any document herein is not intended to be, and should not be understood as being an admission that each such document, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given document may have a later effective date than at first seems apparent or the document may have an effective date which can be antedated. The "prior art" status of any document is a matter to be resolved during prosecution.